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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/808,568	03/25/2004	Vincent de Laforcade	05725.0918-01	4838
22852	7590	09/20/2007		
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP			EXAMINER	
901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413			COMSTOCK, DAVID C	
			ART UNIT	PAPER NUMBER
			3733	
			MAIL DATE	DELIVERY MODE
			09/20/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10/808, 568			

EXAMINER

D. Comstock

ART UNIT	PAPER
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20070915

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Commissioner for Patents

The reply filed on 29 June 2007 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Applicant's arguments fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claim groups are related without specifically pointing out how the language of the claims makes them patentably related. In addition, Applicant is advised that any claims drawn to the same invention as elected in parent application 09/902,265, now US Pat. No. 6,857,432, must be canceled or appropriately amended so as to no longer be coextensive in scope or will be subject to a statutory double patenting rejection pursuant to MPEP 804.01(F). As expressed in Studiengesellschaft Kohle, 784 F.2d at 361, 228 USPQ at 844, (J. Newman, concurring), " 35 U.S.C. 121 of course does not provide that multiple patents may be granted on the identical invention." Moreover, it is noted that it strains credulity that Applicant is the original, first, and sole inventor of some of the claimed subject matter including, for example: the "invention" of "entering into a written agreement" (see, e.g., claim 51), the "invention" of "reaching an oral understanding" (see, e.g., claim 52), and the "invention" of selling products at a "brick and mortar store" or through an "electronic network based store" (see, e.g., claim 60). Applicant is respectfully advised to review the language in the Declaration and cancel any potentially overreaching claims.

Applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

D. Comstock

EDUARDO C. ROBERT  
SUPERVISORY PATENT EXAMINER